

ARTICLE I. - IN GENERAL

Sec. ~~8-1~~. - Fire department's mission.

~~The fire department's mission is to minimize the risk of fire and other hazards to the life and property of the citizens of the city. To accomplish this mission, the department shall provide effective fire prevention, rescue, fire suppression, fire investigation, arson mitigation, and first responder medical services.~~

~~(Code 1985, § 8-1)~~

Sec. ~~8-2~~ **8.1**- Fire code adopted; bureau of fire prevention established and duties.

The North Carolina Fire Code, as amended from time to time, is hereby adopted and incorporated by reference as though fully set out in this chapter. The fire code shall be enforced by the bureau of fire prevention in the fire department, which is hereby established and which shall be operated under the supervision of the chief of the fire department.

(Code 1985, § ~~8-2~~ **8.1**)

Sec. ~~8-3~~ **8.2**. - Fire marshal's appointment.

The fire marshal in charge of the bureau of fire prevention shall be appointed by the chief of the fire department.

(Code 1985, § ~~8-3~~ **8.2**)

Sec. ~~8-4~~ **8.3**. - Inspectors.

The chief of the fire department may detail such members of the department as inspectors as shall from time to time be necessary.

(Code 1985, § ~~8-4~~ **8.3**)

Sec. ~~8-5~~ **8.4**. - Issuance of notice of violations by fire inspectors.

- (a) State-certified fire inspectors of the fire department are empowered to issue notices of violation when such fire inspectors have reasonable cause to believe that any person has violated any provision of the state fire code, as amended, or of this chapter. The notice of violation may be delivered in person to the violator or, if the violator cannot be readily found, the notice of violation may be mailed. The notice of violation shall specify the penalty to be imposed on the violator and shall direct the violator to appear before the city's violations officer within 15 days to pay the penalty or, alternatively, to pay the penalty by mail. The penalty imposed shall be \$ \$50.00 for violations of the state fire code or of this chapter. However, violations of section 4044 **1003.6**, ~~maintenance of means of egress; section 1003.3.1, doors; and section 1003.3.2, gates,~~ **means of egress continuity, and violations of section 901.8, removal or tampering with fire protection equipment,** of the state fire code shall subject the offender to a penalty of \$200.00, instead of \$50.00. A violation of section ~~802.2~~ **107.6** of the state fire code, Overcrowding, shall be deemed a life safety violation and shall subject the offender to a penalty of \$500.00.
- (b) The notice of violation may specify a period during which the violator must correct the violation. If the violation is not corrected within the specified time, the violator shall be guilty of a new and separate offense.

- (c) If the violator does not pay the penalty within 15 days after issuance of the notice of violation, a delinquency charge of \$10.00 shall be added to the amount specified in the notice of violation, and notice of the delinquency charge shall be mailed to the violator. The delinquency notice shall also inform the violator that a criminal summons will be issued against him if the specified penalty and the delinquency charge are not paid within five days after the date of the delinquency notice.
- (d) If the penalty and delinquency charge are not paid within the time allowed, the fire marshal may have a criminal summons issued against the violator for the violation of the state fire code or of this chapter. Upon conviction, the violator shall be subject, in addition to any criminal penalty the court may impose pursuant to the provisions contained in the state fire code or pursuant to section 8-6 of this chapter, to the penalty specified in the notice of violation and the delinquency charge.
- (e) Nothing in this section shall preclude the issuance of an arrest warrant where appropriate.

(Code 1985, § ~~8-5~~8.4)

Sec. ~~8-6~~8.5. - Penalties.

- (a) Any person who shall violate or fail to comply with any section of this chapter or of the state fire code, as adopted, amended or augmented by this chapter; who shall violate or fail to comply with any order made under this chapter or the state fire code; or who shall build in violation of any detailed statement of specifications or plans submitted under this chapter or the state fire code, or any certificate or permit issued thereunder, shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with section 2-21. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such violations shall be corrected within the time specified pursuant to section 8-5(b) of this chapter.
- (b) The application of the penalties in subsection (a) of this section shall not be held to prevent the enforced removal of prohibited conditions.

(Code 1985, § ~~8-6~~8.5)

Sec. ~~8-7~~8.6. - Fire limits.

Pursuant to state laws, the fire limits of the city shall be shown on a map dated September 8, 1986, such map being on record in the office of the city clerk.

(Code 1985, § ~~8-7~~8.6)

Sec. ~~8-8~~8.7. - Fire department rules and regulations governing fire flow, water demand, fire hydrants, fire connections and unattended service stations.

The fire department provisions entitled, "City of Charlotte Fire Department Rules and Regulations Governing Fire Flow, Water Demand, Fire Hydrants, Fire Connections and Unattended Service Stations," dated December 20, 1993, as amended (referred to as "regulations") are hereby adopted and incorporated as if fully set out in this chapter, and the provisions thereof shall be controlling within the city limits. The chief of the fire department is hereby authorized to approve all revisions or amendments to the regulations for the city as may be necessary from time to time, and such revisions or amendments shall also be incorporated as if fully set out at length in this chapter. Such revisions or amendments shall supersede all previous provisions and shall be controlling within the city limits. A copy of the regulations, as amended, shall be on file in the office of the fire department and the office of the city clerk.

(Code 1985, § ~~8-8~~8.7)

~~Sec. 8-9 Fraternity and sorority houses.~~

- ~~(a) *Applicability and definition.* This section shall apply to every fraternity and sorority house within the corporate limits. The term "fraternity and sorority house" as used in this section shall mean any building used as a dwelling and occupied by and maintained exclusively or primarily for college, university, or professional school students who are affiliated with a social, honorary, or professional organization recognized currently or in the past by a college, university, or professional school.~~
- ~~(b) *Automatic fire sprinklers required.* An automatic fire sprinkler system meeting the requirements of National Fire Protection Association standard #13 or #13R is required to be installed in each fraternity and sorority house in accordance with the compliance deadlines set forth in this section. All connections shall be located on the street side of each building, and activation of the sprinkler system shall activate both an internal evacuation alarm and a supervisory alarm at a 24-hour certified and licensed alarm monitoring service.~~
- ~~(c) *Compliance period.* Existing fraternity and sorority houses shall come into compliance with this section within five years of the effective date of the ordinance from which this section derives. If an existing structure is proposed to be converted to use as a fraternity or sorority house, compliance with this section shall be required prior to issuance of a certificate of occupancy for use as a fraternity or sorority house. If an existing structure is being used as a fraternity or sorority house and renovations at a cost exceeding 50 percent of the structure's taxable value are proposed prior to the date on which compliance with this section would otherwise be required, compliance with this section shall be required prior to a new certificate of occupancy being issued following such renovations. New structures shall be required to comply with the terms of this article before a certificate of occupancy is issued for use as a fraternity or sorority house.~~
- ~~(d) *Exemption for certain detached, secondary buildings.* Existing fraternities and sorority buildings are exempt from this section if the buildings:~~
- ~~(1) Have no more than 1,000 square feet of floor area and are not directly connected to the main building used for sleeping; and~~
 - ~~(2) Have no facilities used for sleeping.~~
- ~~(e) *Disabling of automatic sprinkler system.* Upon the occupancy of any new structure as a fraternity or sorority house or upon the completion of the installation of an automatic fire sprinkler system in an existing fraternity or sorority house, no person shall shut off or disable such automatic fire sprinkler system and no owner or resident of such house shall allow or fail to prevent the shutting off or disabling of such a system. However, a sprinkler system may be shut off in order to perform maintenance work on the system during the time that qualified maintenance personnel are on the premises performing necessary maintenance work. Such maintenance work shall only be conducted after notice to and approval by the fire department.~~
- ~~(f) *Additional requirements; most restrictive provisions apply.* This section shall be in addition to any other requirements for sprinkler systems or other fire protection systems required by law or city ordinance. Where this section and any other law apply, the more restrictive provisions shall be enforced.~~

~~(Code 1985, § 8-9)~~

~~Secs. 8-10 – 8-35-8.8 – 8.33. - Reserved.~~

Article II. – PERMITS AND FEES

Sec. 8-364. - Permit application; fee schedule.

Applications for permits required pursuant to chapter 4 of volume V 1 of the NC State fire code, adopted in this chapter shall be made to the fire marshal on forms provided by the city. All applications

shall be accompanied by the applicable permit fee as established by the city. The required permit fees shall be set out in a fee schedule. Printed schedules of the permit fees shall be available to the public at the fire marshal's office and shall be on file in the city clerk's office. ~~, seventh floor, city hall.~~ The fire marshal is authorized to waive the permit fee for governmental, religious, or charitable organizations.

(Code 1985, § 8-26)